

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

LISA A. WEILER, Administratrix of the Estate of  
SCOTT A. KNABE, deceased, and on behalf of all  
statutory beneficiaries,

Plaintiff,

V.

DOCKET NO: 05cv10364 PBS

RAYTHEON COMPANY, a Delaware corporation,  
RAYTHEON AIRCRAFT HOLDINGS, INC. a  
Delaware Corporation, RAYTHEON AIRCRAFT  
COMPANY, a Kansas Corporation, RAYTHEON  
AIRCRAFT CREDIT CORPORATION, a Kansas  
Corporation, COLGAN AIR, INC.,  
a Virginia Corporation d/b/a US Air  
Express,

Defendants.

**PARTIES' JOINT STATEMENT PURSUANT TO  
FED.R.CIV.P.26(f) AND L.R. 16.1(b)**

The parties to the above-captioned matter, by and through their attorneys, hereby state that:

1. Pursuant to Fed.R.Civ.P. 26(f) and L.R. 16.1(b), they conferred for the purpose of:

- a. Preparing an agenda of matters to be discussed at the scheduling conference;
- b. Preparing a proposed pre-trial schedule for the case that includes a plan for discovery; and
- c. Considering whether they will consent to trial by a magistrate judge.

2. After consideration of the topics contemplated by Fed.R.Civ.P. 16(b) and 26(f) the parties propose the following pretrial schedule.

<b><u>Pretrial Activity</u></b>	<b><u>Date</u></b>
Required Disclosures in accordance with 26(a)(1)(E) (14 days after the scheduling conference)	10/12/05
Written Discovery Requests	11/18/05
Joinder of Additional Parties and/or Amendment of Pleadings	12/2/05
All fact discovery completed including depositions of parties and lay witnesses	01/30/06
<b>Defendants' Proposed Deadlines<sup>1</sup></b>	
<b><u>Expert Disclosures</u></b>	
Disclosures of name and address of expert witnesses together with experts' written report and supplementation.	
Plaintiff	02/20/06
Defendant	03/30/06
<b><u>Expert Depositions</u></b>	
Plaintiff	04/28/06
Defendant	05/30/06
All dispositive motions filed	30 days after the close of all discovery ( <u>i.e.</u> 6/30/06)
Oppositions to Dispositive Motions Filed	7/31/06
Hearing on Dispositive Motions	09/08/06
All motions in limine filed	09/15/06
Hearing on motions in limine	9/29/06
Final Pre-Trial Conference	10/15/06
Trial	11/01/06

<sup>1</sup> After conferring on an agreed to joint scheduling statement, the parties were unable reach an agreement with respect to the scheduling of Expert Disclosure and Dispositive Motions deadlines and each submit their proposals herein for the court's consideration.

Plaintiffs' Proposed Deadlines <sup>2</sup>	
Plaintiff's expert designation deadline	02/20/06
Defendant's expert designation deadline	03/30/06
Expert discovery deadline	04/30/06
Summary Judgment Motion filing deadline	05/30/06
Opposition to Summary Judgment Motions	06/15/06
Hearing on Summary Judgment or Pretrial Conference	07/18/06 @ 2:00 p.m.
Trial	August 7, 2006

Trial Estimate – 14-21 days.

### 3. Other Matters

- a. Trial by Magistrate. The parties do not consent to trial before a U.S. Magistrate Judge.
- b. Certificate of Consultation. The parties will submit the Certificate of Consultation under separate cover.
- c. Settlement Proposal. Plaintiff has recently presented a settlement demand book to defendants in this case.
- d. Consolidation. Raytheon and the plaintiffs are agreeable to the consolidation of the Dean and Weiler cases for the purposes of discovery. Raytheon and the plaintiffs agree that the discovery deadlines of both cases should be the same.

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<sup>2</sup> Counsel for the plaintiffs seek to adopt the same schedule as that ordered by the Court in the related Dean case. (No. 05-10155-PBS).

e. Agenda

- (i) Approve and/or establish discovery, motion and trial schedule; and
- (ii) Such other matters as the Court may find appropriate and useful to discuss.

<p>The Plaintiff, LISA WEILER, ADMINISTRATRIX, By her attorneys,</p> <p>/s/ Mary Schiavo</p> <hr/> <p>Mary Schiavo, <i>Pro Hac Vice</i> Motley Rice LLC 28 Bridgeside Boulevard P.O. Box 1792 Mount Pleasant, SC 29465 (843) 216-9374</p> <p>and</p> <p>Robert S. McConnell, BBO #550625 MOTLEY RICE LLC 321 South Main Street P.O. Box 6067 Providence, RI (401) 457-7700</p>	<p>The Defendants, RAYTHEON COMPANY, RAYTHEON AIRCRAFT HOLDINGS, INC., RAYTHEON AIRCRAFT COMPANY AND RAYTHEON AIRCRAFT CREDIT CORPORATION By their attorneys,</p> <p>/s/ Gary W. Harvey</p> <hr/> <p>Peter C. Knight, BBO # 276000 Gary W. Harvey, BBO #547993 MORRISON MAHONEY LLP 250 Summer Street Boston, MA 02210 (617) 439-7500</p> <p>and</p> <p>Michael G. Jones, <i>Pro Hac Vice</i> KS Bar 14511 Martin, Pringle, Oliver, Wallace &amp; Bauer, L.L.P. 100 North Broadway, Suite 500 Wichita, KS 67202 (316) 265-9311 (316) 265-2955 (facsimile)</p>
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Dated: September 22, 2005